

IN THE HIGH COURT OF JAMMU & KASHMIR AND LADAKH
AT SRINAGAR

WP (C) No. 1613/2023

M/S MOHAMMAD ASHRAF GILKAR

...Petitioner(s)

Through: Mr. Sameer Ahmad, Advocate

VS

UNION TERRITORY OF J AND K AND OTHERS

...Respondent(s)

Through: Mr. Anis-ul-Islam, Adv. vice Mr. Moomin Khan, Advocate

CORAM:

HON'BLE MS JUSTICE MOKSHA KHAJURIA KAZMI, JUDGE

ORDER

26.06.2023

1. By this petition, the petitioner herein is seeking direction upon respondents to release the admitted liability of the contract work executed by the petitioner. It is prayed that respondents be directed to release an amount of Rs. 3.00 lacs, 02% of the CDR amount and 10% deposits of the allotted work i.e. amounting to Rs. 123 lacs along with interest @ 12% from the date of completion of work.
1. The respondents are stated have issued an allotment for the execution of work construction of Community Centre at Gund Hassi Bhat, Lawaypora, Srinagar. Petitioner is stated to have participated in the bid. The respondent-Executive Engineer, Left River Works Division, Srinagar Municipal Corporation, issued allotment in favour of the petitioner vide No.SMC/EELRWD/672-75 dated 12.01.2017.
2. The petitioner is stated to have executed the allotted work within the stipulated period. It is further stated that the petitioner has borrowed money from his creditors and pays them huge interest and was expecting that his hard earned payment would be released

in due time, but the respondents have unnecessarily retained the payment of the petitioner till date.

3. Learned counsel for the petitioner submits that he would feel satisfied if the respondents be directed to consider the release of the admitted liability withheld by the respondents.
4. Having regard to the prayer made by learned counsel for the petitioner the instant writ petition is disposed of at its threshold, with a direction to the respondents to consider the claim of the petitioner as projected in the writ petition and take a decision thereon within a period of two months from the date a certified copy of this Order is furnished by the petitioner to them subject to verification of the requisite bills. The decision so taken by the respondents shall be conveyed to the petitioner.
5. Disposed of along with all CMs.

(MOKSHA KHAJURIA KAZMI)
JUDGE

SRINAGAR

26.06.2023

AMIR